

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
(WESTERN DIVISION)

ALAA M. ELGAOUNI, Individually And
On Behalf of All Others Similarly Situated,

Plaintiff,

vs.

META FINANCIAL GROUP, INC.,
J. TYLER HAAHR and DAVID W.
LEEDOM,

Defendants

NO. 5:10-cv-04108-MWB

**STIPULATION AND [PROPOSED] ORDER TO APPOINT CO-LEAD
PLAINTIFFS AND TO APPROVE SELECTION OF
CO-LEAD COUNSEL**

WHEREAS, the first lawsuit alleging federal securities violations was filed against defendants, *Thirumalesh Bhat v. Meta Financial Group, Inc., J. Tyler Haahr, David W. Leedom, Bradley C. Hanson and Troy Moore III*, No. 5:10-cv-04099-DEO, on October 22, 2010 (“Bhat Action”)¹;

WHEREAS, on November 5, 2010, plaintiff Alaa M. Elgaouni filed the second lawsuit in this District, styled *Alaa M. Elgaouni v. Meta Financial Group, Inc., J. Tyler Haahr and David W. Leedom*, No. 5:10-cv-04108-MWB;

WHEREAS, in accordance with the Private Securities Litigation Reform Act of 1995 (“PSLRA”), 15 U.S.C. § 78u-4(a)(3)(A)(i), a notice was published on October 22, 2010, through

¹ The *Bhat* action was voluntarily dismissed without prejudice on December 14, 2010.

Business Wire, “a widely circulated national business-oriented wire service,” that a class action had been initiated against defendants, advising members of the proposed Class of their right to move the Court to serve as lead plaintiff no later than December 21, 2010;

WHEREAS, pursuant to 15 U.S.C. § 78u-4(a)(3)(A) and (B), on December 21, 2010, putative class member the Eden Partnership (consisting of Eden Partnerships Management and its individual members Nathanael Dreyfuss, Assaf Nathan, Gad Nathan, and Yaniv Uliel) filed a timely motion seeking appointment as lead plaintiff, and approval of its selection of Kahn Swick & Foti, LLC (“KSF”) as lead counsel;

WHEREAS, pursuant to 15 U.S.C. § 78u-4(a)(3)(A) and (B), on December 21, 2010, putative class member Cornelius Jones, III filed a timely motion seeking appointment as lead plaintiff, and approval of his selection of Robbins Geller Rudman & Dowd LLP (“RGRD”) as lead counsel;

WHEREAS, both the Eden Partnership and Cornelius Jones, III understand the importance of supervising and monitoring this complex securities class action lawsuit, and have determined that in order to best protect the interests of the Class, it would be more efficient to propose a joint prosecution of this matter rather than to proceed with seeking lead plaintiff status individually, *see* 15 U.S.C. § 78u-4(a)(3)(B)(iii)(I) (allowing for the appointment of a “person or group of persons” as lead plaintiff);

WHEREAS, both the Eden Partnership and Cornelius Jones, III further recognize the value that their varying experiences, backgrounds, and expertise will have in this litigation and for the decision-making process and, as a result, they reached an agreement for their joint appointment as lead plaintiff; and,

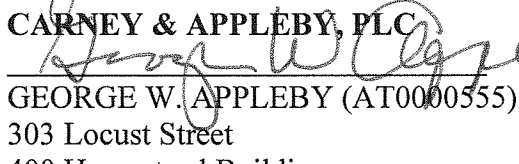
WHEREAS, on December 22, 2010, the Court entered an Order for a hearing on January 12, 2011, on the competing motions for lead plaintiff, Rec. Doc. No. 7; and

WHEREAS, although the *Bhat* case was voluntarily dismissed, leaving only the *Elgaouni* case, the parties agree that it is proper pursuant to the PSLRA, 15 U.S.C. § 78u-4(a)(3)(B)(ii), and Fed. R. Civ. P. 42(a) to consolidate into this action any future-filed cases involving common questions of law and fact;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by the parties, through their undersigned counsel, subject to the approval of the Court, as follows:

1. The Eden Partnership and Cornelius Jones, III, shall be appointed Co-Lead Plaintiffs for the class, pursuant to 15 U.S.C. §78u-4(a)(3)(B);
2. KSF and RGRD shall serve as Co-Lead Counsel for the class pursuant to 15 U.S.C. §78u-4(a)(3)(B)(v); and
3. The January 12, 2011 hearing on the lead plaintiff motions is hereby adjourned; and,
4. This Order shall apply to this action and to each case that relates to the same subject matter that is subsequently filed in or transferred to this Court and consolidated herewith.

DATED: January 5, 2011


CARNEY & APPLEBY, PLC
GEORGE W. APPLEBY (AT0000555)
303 Locust Street
400 Homestead Building
Des Moines, IA 50309
Tel: (515) 282-6803
Fax: (515) 282-4700
Counsel for Plaintiffs

Dated: January 5, 2011

**BERG, ROUSE, SPAULDING &
SCHMIDT, PLC**
WARD A. ROUSE
4940 Pleasant Street
West Des Moines, IA 50266

Tel: (515) 223-9000
Fax: (515) 226-8710
Counsel for Plaintiffs

DATED: January 5, 2011

ROBBINS GELLER RUDMAN & DOWD LLP
SAMUEL H. RUDMAN
DAVID A. ROSENFELD
MARIO ALBA JR.
58 South Service Road, Suite 200
Melville, NY 11747
Tel: (631) 367-7100
Fax: (631) 367-1173

[Proposed] Co- Lead Counsel for Lead Plaintiffs

DATED: January 5, 2011

KAHN SWICK & FOTI, LLC
KIM E. MILLER
500 Fifth Avenue, Suite 1810
New York, NY 10110
Tel: (212) 696-3730
Fax: (504) 455-1498

-and-

LEWIS KAHN
206 Covington Street
Madisonville, LA 70447
Tel: (504) 455-1400
Fax: (504) 455-1498

[Proposed] Co- Lead Counsel for Lead Plaintiffs

* * *

[PROPOSED] O R D E R

IT IS SO ORDERED.

DATED: _____

THE HONORABLE MARK W. BENNETT
UNITED STATES DISTRICT JUDGE